

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS K. HAYES-KELLY,
Plaintiff,

v.

CLINTON J. CURRY, et al.,
Defendants.

Case No. [23-cv-01046-DMR](#) (PR)

ORDER OF TRANSFER

Plaintiff, an inmate, has filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983. This case has been assigned to the undersigned Magistrate Judge.¹ Dkt. 3. Plaintiff has not filed a completed *in forma pauperis* application.

The acts complained of occurred in Yuba County, California, which is located in the Eastern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the Eastern District of the United States District Court of California.² The Clerk of the Court shall transfer the case forthwith.

IT IS SO ORDERED.

Dated: March 27, 2023



DONNA M. RYU
Chief Magistrate Judge

¹ To date, Plaintiff has not yet returned the form indicating whether he consents to or declines magistrate judge jurisdiction in this action.

² Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).